

1905

FILE No. 8 OF 1904-05.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

PROCEEDINGS OF THE GENERAL AND REVENUE DEPARTMENT

LEGISLATIVE

FEBRUARY

A' Collection Serial Nos. 1—4

Amendment of the Mysore Military Regulation, II of 1899.

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1904-05.

GENERAL AND REVENUE SECRETARIAT.

(LEGISLATION.)

NOTES.

FILE No. 8 of 1904-05.

Amendment of the Mysore Military Regulation, II of 1899.

From the Military Assistant to the Government of Mysore, No. 492—F. 36 of 97-98, dated 10th August 1904.

Requests that the words "Transport Drivers" may be added to para 23 (b) after the word "Sowars" in the said Regulation and that the hyphen in para 23 (c) between Jamedar and Driver be changed into "and."

A draft Regulation and draft of a letter to the First Assistant Resident are submitted. (I am not sure that Colonel Jones' substitution in para 23 (c) is quite accurate. I think the clause should run "To Risaldar-drivers, Jamedar-drivers and drivers of transport," cf. the designations in paras 18 and 19.)

K. S. CHENDRASEKHARA AIYAR.

13-8-04.

2. Section 23 (b). Colonel Jones wants "Transport drivers" to be specially named in clause (b) of Section 23, instead of their being taken to be included in the term "all followers." To the insertion of the words "Transport drivers" after "Sowars" in the said clause, there seems no objection.

3. In this connection, consistency with the intention to elevate "Transport drivers" to a status higher than that of "all followers" requires that these men should also be specially referred to in (2) of the said clause after "or sepoy."

4. "Sepoy" is referred to in (2) (b) while not expressly mentioned in (b). This omission was, I think, an oversight and must now be rectified.

5. Section 23 (c). Colonel Jones suggests that the hyphen between "Jamedar" and "Drivers" be changed into "and." The Deputy Secretary is, I believe, right in doubting the accuracy of the change proposed, since 23 (c) relates not to Sowar Officers but to Transport Officers, the former being separately dealt with in 23 (a) and 23 (b). The Deputy Secretary does not seem however right in the suggestion he has made that "drivers of Transport" be mentioned in (23) (c) inasmuch as 23 (b) as now proposed to be amended sufficiently covers their case and as 23 (b) and 23 (c) are mutually exclusive. The modification really required is "Risaldar-drivers, Jamedar-drivers and Dafedar-drivers of Transport." The last-named class has not been provided for in Section 23, while there is special mention of it in Section 12. It appears to me that it is not intended that "Dafedar-drivers" should be herded with ordinary "Transport-drivers."

6. (4) of 23 (c) seems also to require an amendment, since it stands to reason that dismissal which is conditional in the case of men, vide 23 (b), (2), should not be absolute in that of officers. An addition may accordingly be made after "dismissal" as follows: "but only if he has less than five year's service."

7. The object in view will be attained by an amendment as follows:—

23 (b) "To Sowars, Sepoys, Transport-drivers and all followers."

23 (b) (2) "Dismissal, but in the case of a Sowar or Sepoy or Transport-driver."

Better still "Officers of Transport (e.g. Risaldars, Jamedars, and Dafedars)."

23 (c) "To Risaldar-drivers, Jamedar-drivers and Dafedar-drivers of Transport."

Better still "Officers" for "Risaldar-driver, Jamedar-driver or Dafedar-driver."

23 (c) (4) "Dismissal, but only if the Risaldar-driver, Jamedar-driver or Dafedar-driver concerned, has less than five years' service."

C. S.
16-8-04.

8. If dafedars are intended to be treated as Transport-drivers, add "of and below the rank of dafedar-drivers" in Section 23 (b) and leave out "dafedar-drivers" in 23 (c) and 23 (c) (4).

C. S.
16-8-04.

9. I would recommend, as a simple temporary change, pending revision of this law, that we should

Alter 23 (b) "To Sowars, Sepoys, Transport Lance Dafedars and Drivers, and all followers."

(b) 2 "Dismissal in case of followers, but in the case of others only if of less than five years' service."

Add (b) 3 "Reduction to a lower grade."

Alter (c) "To Officers of Transport, *viz.*, Rissaldars, Jamedars and Dafedars."

(c) 4 "Dismissal but only if of less than five years' service."

R. G. JONES, LIEUT.-COL.,
Military Assistant.
17-8-04

10. Submitted to the 1st Councillor for favor of instructions.

K. S. CHENDRASEKHARA AIYAR.
18-8-04.

11. The revised amendments seem suitable. I gave my note to Mr. Donne to be shown to Colonel Jones, who has now sent his revised proposals.

C. S.
20-8-04.

12. Submitted to the Dewan Sahib. May this be circulated as it is a Council matter.

B. K. VENKATA VARADA IYENGAR.
22-8-04.

13. Yes. For an early meeting.

P. N. K.
24-8-04.

The amendment may be passed.

C. M.
1-9-04.

Submitted to the Dewan Sahib for information. Will be laid before Council.

B. K. VENKATA VARADA IYENGAR.
2-9-04.

Next meeting.

P. N. K.
6-9-04.

To Registrar.

B. K. VENKATA VARADA IYENGAR.
8-9-04.

14. The papers were duly circulated and the matter was discussed in the Council meeting held on the 23rd September 1904, with the following result:—

Opinions of the Dewan and Councillors.

Adopting the alterations proposed by the Military Assistant in his note of the 17th August 1904, the following Draft Amendment Regulation may be passed :—

WHEREAS it is expedient to amend the Mysore Military Regulation, No. II of 1899, His Highness the Maharaja is pleased to enact as follows :—
Preamble.

1. (1) For clause (b) of Section 23 of the Rules for the Punishment of Crime in the Mysore Imperial Service Cavalry and Transport, laid down in the Regulation, the following shall be substituted :—
Alteration of clause (b) of Section 23 of the Rules for the Punishment of Crime.

“To Sowars, Sepoys, Transport Lance Dafedars and Drivers and all Followers.”

(2) For clause (b) (2) of Section 23, the following shall be substituted :—
Alteration of clause (b) (2) of Section 23.

“Dismissal in case of followers, but in the case of others only if of less than five years’ service.”

(3) The words “Reduction to a lower grade” shall be inserted as clause (b) (3) of Section 23.
Addition to Section 23 (b).

2. (1) For clause (c) of Section 23, the following words shall be substituted :—
Alteration of clauses (c) and (c) (4) of Section 23.

“To Officers of Transport, viz., Rissaldars, Jamadars and Dafadars.”

(2) For clause (c) (4), the following words shall be substituted :—

“Dismissal but only if of less than five years’ service.”

(Sd.) P. N. KRISHNA MURTI,
Dewan of Mysore.

Submitted to His Highness.

15. The draft Regulation to amend clauses (b) and (c) of Section 23 of the Military Regulation, II of 1899, may be approved. The Transport Lance Dafadars and Drivers had hitherto been included among followers and punished as such. Colonel Jones considers that it is desirable to specify them separately and hence the inclusion of Transport Lance Dafadars and Drivers in clause (b). The omission of the word “Sepoys” in this clause was an oversight and it is now supplied. In clause (b 2), the word “others” has been substituted for “Sowar or Sepoy,” so as to include the abovenamed Transport men. Reduction to a lower grade has been added as a punishment to the persons specified in clause (b). At present this punishment is confined only to the non-commissioned officers referred to in Section 23 (a). The amendments to clause (c) call for no special mention, as they follow the lines of the amendments to clause (b). On approval by His Highness, the sanction of the Government of India will be sought for through the Residency. The draft to the Residency may also be kindly approved.

P. N. K.
3-10-04.

Order.

16. Sanctioned. The draft is approved.

K. R. W.
H. H. Maharaja of Mysore.
6-10-04.

17. Issue.

P. N. K.
7-10-04.

To the 1st Assistant to the Hon'ble the Resident, No. Pol. 324, dated the 11th October 1904.

Forwards copy of a Draft Regulation for the amendment of the Mysore Military Regulation II of 1899, and requests him to obtain the sanction of the Government of India for its being passed into law.

From the First Assistant Resident No. 402, dated 24th January 1905.

Conveys the sanction of the Government of India to the draft Regulation.

The draft has now to receive the assent of His Highness the Maharaja for its promulgation.

T. K. S. S. N.
26-1-05. 26-1-05.

2. Submitted to the Dewan Sahib through the 1st Councillor.

B. K. VENKATA VARADA IYENGAR.
26-1-05.

3. With the Dewan's kind permission, this may be submitted to His Highness for sanction and then promulgated.

C. S.
27-1-05.

Submitted to His Highness.

4. For final sanction.

P. N. K.
29-1-05.

Order,

5. Sanctioned.

C. R. W.
1-2-05.

6. Take action to publish in the usual course.

P. N. K.
2-2-05.

7. Draft of an order is submitted,

S.
8-2-05.
S. N.
8-2-05.

8. Issue.

K. S. CHENDRASEKERA AIYAR.
10-2-05.

To the Compiler, Mysore Gazette, No. J. 2292, dated the 14th February 1905.

Orders that the above Regulation to amend the Mysore Military Regulation of 1899 be promulgated.

Endorsement to the Military Assistant to Government, No. J. 2293, dated the 14th February 1905.

Forwards copy of the above for information.

Endorsement to the Chief Commandant, Mysore State Troops, No. J. 2294, dated the 14th February 1905.

Forwards copy as above.

*Proceedings of the Government of His Highness the Maharaja of Mysore,
Legislative and Judicial (Legislation), February 1905.*

Amendment of the Mysore Military Regulation, II of 1899.

FILE NO. 8 OF 1904-05.

No. 492—F. 36, 97-98, from Lieut.-Colonel R. G. JONES, I. A., Military Assistant to the Government of Mysore, to B. K. VENKATA VARADA IYENGAR, Esq., Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Department.

I have the honor to request that you will kindly obtain the sanction of Government in the Legislative Department for the addition of the words "Transport Drivers" to para 23 (b) of the Mysore Military Regulations of 1899, after the word "Sowars." Serial No. 1.

The Transport Drivers have hitherto been punished as followers under this section but I think that they should be named in the section and not included generally with scavengers, etc.

Also in 23 (c) the hyphen between Jamedar and Driver should be changed into "and."

No. Pol. 324, dated the 11th October 1904, from B. K. VENKATA VARADA IYENGAR, Esq., Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Department, to R. C. H. MCOS KING, Esq., First Assistant to the Honorable the Resident in Mysore.

I am directed to forward herewith a copy of a Draft Regulation for the amendment of the Mysore Military Regulation, II of 1899, and to request that the approval of the Government of India may be kindly obtained for its being passed into law.

Serial No. 2.

2. Transport Lance Dafedars and Drivers have hitherto been included among "Followers" under section 23 (b), but the Durbar consider it desirable to specify them separately instead of including them generally with the scavengers and others, under "Followers." The omission of the word "Sepoys" in the same clause (b) was an oversight which it is now proposed to rectify. In clause (b) (2), the word "others" has been substituted for "Sowar and Sepoy," so as to include the Lance Dafedars and Drivers above referred to, and "reduction to a lower grade" has been newly added as a punishment to meet the cases of those specified in (b).

3. The only other alterations proposed are as regards Section 23 (c), which do not call for any special mention, as they follow the lines of amendments to clause (b).

(ENCLOSURE TO No. 2.)

A Draft of a Regulation to amend the Mysore Military Regulation, II of 1899.

WHEREAS it is expedient to amend the Mysore Military Regulation, II of 1899, His Highness the Maharaja is pleased to enact as follows:—
Preamble.

1. For clause (b) of paragraph 23 of the Rules for the Punishment of Crime in the Mysore Imperial Service Cavalry and Transport, the following shall be substituted, namely:—
Substitution for clause (b) for paragraph 23 of the Rules for the Punishment of Crime.

"(b) To Sowars, Sepoys, Transport Lance Dafedars and Drivers, and all Followers.—

(1) Imprisonment up to 28 days, with or without hard labour.

(2) Dismissal in the case of followers; but in the case of others, only if of less than five years' service.

(3) Reduction to a lower grade."

2. For clause (c) of paragraph 23 of the said Rules, the following shall be substituted, namely:—
Substitution for clause (c) of the paragraph.

(c) To Officers of Transport, viz., Risaldars, Jamedars and Dafedars —

(1) Reprimand;

(2) Reduction to a lower grade;

*Proceedings of the Government of His Highness the Maharaja of Mysore,
Legislative and Judicial (Legislation), February 1905.*

Amendment of the Mysore Military Regulation, II of 1899.

- (3) Fine not exceeding half the pay for any one month, and not exceeding three months' pay in any one year
- (4) Dismissal, but only if of less than five years' service.

*No. 402, dated 24th January 1905, from R. C. H. MOSS KING, Esq., I. C. S.,
First Assistant to the Resident in Mysore, to the Dewan of Mysore, dated Bangalore,
24th January 1905.*

I am directed to acknowledge the receipt of Mr. Venkata Varada Iyengar's letter Pol. No. 324, dated 11th October 1904, forwarding a draft Regulation to further amend the Mysore Military Regulation, II of 1899. Serial No. 3.

2. The draft Regulation is sanctioned by the Government of India provided that the Governor General in Council retains over it the power and authority which vests in the Governor General in Council by virtue of Article 19 of the Instrument of Transfer, dated the 1st March 1881.

Government Order No. J. 2292—dated 14th February 1905, to the Compiler, Mysore Gazette.

ORDER.—Ordered that the Regulation to amend the Mysore Military Regulation, II of 1899, which received the assent of His Highness the Maharaja on the first day of February 1905, be promulgated. Serial No. 4.

Endorsement No. J. 2293, dated 14th February 1905, forwards copy of the above to the Military Assistant to Government.

Endorsement No. J. 2294, Legis. 8, dated 14th February 1905, forwards copy of Serial No. 4 to the Chief Commandant, Mysore State Troops.

(ENCLOSURE TO SL. No. 4.)

REGULATION NO. I OF 1905. (PASSED ON THE 1ST DAY OF FEBRUARY 1905.)

A Regulation to amend the Mysore Military Regulation, II of 1899.

Whereas it is expedient to amend the Mysore Military Regulation, II of 1899, His Highness the Maharaja is pleased to enact as follows :—

Preamble.

1. For clause (b) of paragraph 23 of the Rules for the Punishment of Crime in the Mysore Imperial Service Cavalry and Transport, the following shall be substituted, namely :—
Substitution for clause (b) of paragraph 23 of the Rules for the Punishment of Crime.

“(b) To Sowars, Sepoys, Transport Lance Dafedars and Drivers, and all Followers—

- (1) Imprisonment up to 28 days, with or without hard labour ;
- (2) Dismissal in the case of followers, but in the case of others, only if of less than five years' service ;
- (3) Reduction to a lower grade.”

2. For clause (c) of paragraph 23 of the said Rules, the following shall be substituted, namely :—
Substitution for clause (c) of the same paragraph.

“(c) To Officers of Transport, viz., Risaldars, Jamedars and Dafedars,—

- (1) Reprimand ;
- (2) Reduction to a lower grade ;
- (3) Fine not exceeding half the pay for any one month, and not exceeding three months' pay in any one year.
- (4) Dismissal, but only if of less than five years' service.”